

## AMENDMENT AND RESPONSE

PAGE 8

Serial No.: 09/685,475

Filing Date: October 10, 2000

Attorney Docket No. 100.157US01

Title: HIGH FREQUENCY AMPLIFICATION CIRCUIT

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**REMARKS**

Applicant has reviewed the Office Action mailed on March 30, 2004 as well as the art cited. Claims 1-23 and 25-32 are pending in this application.

**Rejections Under 35 U.S.C. § 102**

Claims 15-20 and 28 were rejected under 35 USC § 102(c) as being anticipated by Nagode et al. (U.S. Patent No. 6,043,721). In particular, the Examiner stated that Nagode et al. discloses "a method for selectively amplifying upstream signals for at least first and second wireless services, the method comprising: receiving signals; passing a first frequency band of the received signal; amplifying the first frequency band of the received signal; passing at least one additional frequency band of the received signal without amplification." Applicant respectfully traverses the Examiner's rejection of claims 15-20 and 28 under 35 U.S.C. § 102(c).

A 102 rejection requires a reference teach every element in a claim.

**Claim 15**

Claim 15 is as follows:

15. (Original) A method for selectively amplifying upstream signals for at least first and second wireless services, the method comprising:

- receiving signals;
- passing a first frequency band of the received signal;
- amplifying the first frequency band of the received signal; and
- passing at least one additional frequency band of the received signal without amplification.

The Nagode et al. reference does not teach every element of Claim 15. For example, Claim 15 includes the elements "receiving signals ... passing a first frequency band of the received signal ... passing at least one additional frequency band of the received signal ...." The Nagode et al. reference does not teach these elements. The Nagode et al. reference relates to an

## AMENDMENT AND RESPONSE

PAGE 9

Serial No.: 09/685,475

Filing Date: October 10, 2000

Attorney Docket No. 100.157US01

Title: HIGH FREQUENCY AMPLIFICATION CIRCUIT

---

amplifier 104 that includes diode switches 320 and 330. Please see Figures 2 and 3 of the Nagode et al. reference. The diodes are used to provide paths for select the frequency bands column 4, lines 27-41 of the Nagode et al. reference. The diode switches are controlled by signals 116a and 116c. In the Nagode reference, either the high frequency band is passed or the low frequency band is passed but not both at the same time. Please see column 4, lines 27-41 of the Nagode et al. reference. Hence, the Nagode et al reference does not teach "receiving signals ... passing a first frequency band of the received signals ... passing at least one additional frequency band of the received signal ...," as is disclosed and claimed in Claim 15 of the present application.

In addition, Figure 2 of the Nagode et al. reference relates to amplifier 104 of Figure 1. Amplifier 104 has a first amplifier stage 200, a second amplifier stage 202 and a third amplifier stage 204. Higher frequency bands are amplified in exciter amplifier 206 of the first amplifier stage 200 and the second amplifier stage 202. Lower frequency bands are also amplified in the second amplifier stage 202 as well as by amplifier 210 in the third amplifier stage 204. Please see Figure 2 and line 56 of column 3 through line 6 of column 4 of the Nagode et al. reference. Claim 15 of the present application includes the element "passing at least one additional frequency band of the received signal without amplification." As illustrated above, the Nagode et al. reference relates to a method of amplifying both the higher and the lower frequency signals. Accordingly, the Nagode et al. reference does not teach every element of Claim 15 of the present invention.

Since, the Nagode et al. reference does not teach every element of Claim 15, a rejection under section 102 is improper. Therefore, the Applicant respectfully requests the withdrawal of the rejection of Claim 15 under 35 USC § 102(c). Moreover, since Claims 16-20 depend from and further define patentably distinct Claim 15, the Applicant also respectfully requests the withdrawal of rejections to these dependant claims. In addition, since the Applicant believes these dependant claims are allowable for the above reason, all of the rejections to said claims may not have been addressed in this response. However, the Applicant retains the right to address any said rejection if a further response is required.

Claim 28

## AMENDMENT AND RESPONSE

PAGE 10

Serial No.: 09/685,475

Filing Date: October 10, 2000

Attorney Docket No. 100.157US01

Title: HIGH FREQUENCY AMPLIFICATION CIRCUIT

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Claim 28 is as follows:

28. (Original) A method for amplifying upstream signals for first and second wireless services, the method comprising:

receiving signals;

passing a first frequency band of the received signal;

amplifying the first frequency band of the received signal;

passing at least one additional frequency band of the received signal without amplification, the at least one additional frequency band being lower in frequency than the first frequency band; and

combining the first frequency band and the at least one additional frequency band into a signal for transmission.

The Nagode et al. reference does not teach every element of Claim 28. For example, Claim 28 includes the elements "receiving signals ... passing a first frequency band of the received signal ... passing at least one additional frequency band of the received signal ...." The Nagode et al. reference does not teach these elements. The Nagode et al. reference relates to an amplifier 104 that includes diode switches 320 and 330. Please see Figures 2 and 3 of the Nagode et al. reference. The diodes are used to provide paths for select the frequency bands column 4, lines 27-41 of the Nagode et al. reference. The diode switches are controlled by signals 116a and 116c. In the Nagode reference, either the high frequency band is passed or the low frequency band is passed but not both at the same time. Please see column 4, lines 27-41 of the Nagode et al. reference. Hence, the Nagode et al reference does not teach "receiving signals ... passing a first frequency band of the received signals ... passing at least one additional frequency band of the received signal ....," as is disclosed and claimed in Claim 28 of the present application.

In addition, as illustrated above in Regards to Claim 15, the Nagode et al. relates to amplifying both high frequency and low frequency signals. Please see Figure 2 and line 56 of column 3 through line 6 of column 4 of the Nagode et al. reference. Claim 26 of the present application includes the element "passing at least one additional frequency band of the received signal without amplification, the at least one additional frequency band being lower in frequency

## AMENDMENT AND RESPONSE

PAGE 11

Serial No.: 09/685,475

Filing Date: October 10, 2000

Attorney Docket No. 100.157US01

Title: HIGH FREQUENCY AMPLIFICATION CIRCUIT

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than the first frequency band." Since, the Nagode et al. reference does not teach this element, a rejection under section 102 is improper. Accordingly, the Applicant respectfully requests the withdrawal of the rejection of Claim 28 under 35 USC § 102(e).

Rejections Under 35 U.S.C. § 103

Claim 18 was rejected under 35 USC § 103(a) as being unpatentable over Nagode et al. ('721) in view of Persson (U.S. Patent No. 5,821,811). Since Claim 18 depends from and further defines patentably distinct Claim 15, the Applicant respectfully requests the withdrawal of rejections to this dependant claim. In addition, since the Applicant believes this dependant claim is allowable for the above reason, all of the rejections to said claim may not have been addressed in this response. However, the Applicant retains the right to address any said rejection if a further response is required.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 1-14, 21-23, 25-27, and 29-32 are allowable.

## AMENDMENT AND RESPONSE

PAGE 12

Serial No.: 09/685,475

Filing Date: October 10, 2000

Attorney Docket No. 100.157US01

Title: HIGH FREQUENCY AMPLIFICATION CIRCUIT

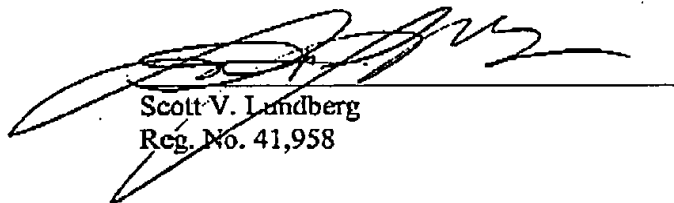
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CONCLUSION

Applicant respectfully submits that claims 1-23 and 25-32 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 332-4720.

Respectfully submitted,

Date: 6-29-4  
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Scott V. Lundberg  
Reg. No. 41,958

Attorneys for Applicant  
Fogg and Associates, LLC  
P.O. Box 581339  
Minneapolis, MN 55458-1339  
T - (612) 332-4720  
F - (612) 332-4731